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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/613,033

07/07/2003

Nima Ahmadvand

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EXAMINER

VY, HUNG T

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/613,033

Applicant(s)

AHMADVAND ET AL.

Examiner

Hung T. Vy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2, 15, 17-21, 26 and 28-32 is/are pending in the application.
- 4a) Of the above claim(s) 1, 3-14, 22, 24 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 2, 17, 18, 26, 28 and 29 is/are rejected.
- 7) ☒ Claim(s) 19-21 and 30-32 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


TAN HO
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/7/03 & 4/26/04.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

1. In the response to the amendment filed on 12/06/2005, claims 2, 15, 17 to 21 and 26,28 to 32 are pending in this application as result of withdrawn of claims 1, 3-14, 22, 24 and 25 and cancellation of claims 16, 23 and 27. Claim 2 is generic claim. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 04/26/2004 and 07/07/2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

3. The specification has been checked to the extent necessary to determine the presence of possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 2 is rejected under 35 U. S. C. § 102 (b) as being anticipated by Watanable (U.S. Patent No. 6,307,984).

With respect to claim 2, Watanable discloses a multi-wavelength laser source comprising: a source of optical signal having optical pulses at a channel spacing frequency (See fig. 3 and column 10, line 62-68); an amplifier for amplifying the optical signal to produce an amplified optical signal (See fig. 3); a nonlinear medium comprising multiple segments of optic fiber, at least one of the segments comprising HNLF (highly nonlinear fiber) (See column 29, line 31-50 and fig. 1, 3, 6), the nonlinear medium connected to receive the amplifier optical signal, and to yield comblike multi-channel WDM laser signals separated from each other by said channel spacing frequency (See fig. 1, 3, 6-7).

Claim Rejections - 35 U.S.C. § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 15, 17-18, 26 and 28-29 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Watanable (U.S. Patent No. 6,307,984).

With respect to claims 15, and 26, Watanable discloses all the limitations of claimed invention recited in claim 2 except for DSF of first type, a second segment of DSF of a second type, a segment of SMF, and a segment of HNLF connect together in

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sequence discloses that it known in the art to provide a DSF, SMF, HNLF (See column 33, line 20-68, column 30, line 1-7, See column 29, line 31-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the sequence of DSF, SMF and HNLF, in order to provide compensation for the waveform or optical fibers which have already been put into practical use (See column 33, line 20-68).

With respect to claims 17-18, and 28-29, Wantanable discloses a first monochromatic laser (DFB laser), second monochromatic laser (DFB laser), and combiner (See column 10, line 63 and fig. 3).

Allowable Subject Matter

8. Claims 19-21 and 30-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, since the prior art of record and considered pertinent to the applicant's disclosure does not teach or suggest the claimed a multi-wavelength source wherein the segment of DSF of the first type is from 300 to 600m long, the segment of SDF of the second type is from 300 to 600m long, the segment of SMF is from 50 to 120m long, and the segment of HNLF is from 250 to 350m, and HNLF has a dispersion zero at 1540 nm and a dispersion slope is $S_D \leq 0.04\text{ps/Km.nm}^2$ with effective mode area $A_{\text{eff}} \leq 20 \mu\text{m}^2$.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Vy whose telephone number is 571-2721954. The examiner can normally be reached on 8.30am - 5.30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hung T. Vy
Art Unit 2821.
December 6, 2005.


TAN HO
PRIMARY EXAMINER